

Location 138 - 140 Station Road London N3 2SG

Reference: 20/0856/FUL Received: 17th February 2020
Accepted: 25th February 2020

Ward: Finchley Church End Expiry 21st April 2020

Applicant: Miss Hema Shivji Mr Dilip Dhanak

Proposal: Conversion of existing pair of semi detached houses into 6no self-contained flats with rooms in the roof space including part single, part two storey rear extension. Associated amenity space, cycle and refuse bin store. [amended description]

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. The applicant and any other person having a requisite interest in the site are invited to enter into a section 106 Agreement to secure the following:
 1. Highways (traffic order) £2,072.55
"A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development."
 2. Monitoring fee of £103.63

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control approve the planning application subject to the

following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing nos.:

181-01 "Existing floor plans";
181-02 "Existing floor plans";
181-03 "Existing elevations";
181-07 "Existing block plan";
181-181-04 revC "Proposed floor plans";
181-181-05 revC "Proposed floor plans";
181-181-06 revC "Proposed elevations";
181-181-08 revD "Proposed block plan";
181-181-09 "Proposed Section".

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4 a) Before the development hereby permitted is first occupied, notwithstanding the approved plans, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

5 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation

Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 a) Before the development hereby permitted is first occupied details of cycle storage facilities for a minimum of 10no cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

8 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

9 No site works including construction work shall commence until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Construction Logistics Plan submitted shall include, but not be limited to the following information:

i. details of the routing of construction vehicles to the site, hours of access, access

and egress arrangements within the site and security procedures;

ii. site preparation and construction stages of the development;

iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;

iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;

v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;

x. details of a community liaison contact for the duration of all works associated with the development.

xi. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

10 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

11 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing Nos. 136 or 142 Station Road.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

12 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations facing 136 and 140 Station Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

13 a) Prior to first occupation of the hereby approved development, a scheme of hard and soft landscaping to the front forecourt area, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft

landscaping, has be submitted to and agreed in writing by the Local Planning Authority.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

14 Before the development hereby permitted is first occupied, the rear garden shall be subdivided as shown on the proposed block plan hereby approved (Drawing no. 181-181-08 revD) and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

RECOMMENDATION III:

1 That if an agreement has not been completed by 01/03/2021 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application 20/0856/FUL under delegated powers for the following reasons:

1. The development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.

Informative(s):

1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development

is in accordance with the Development Plan.

- 2 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 3 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 4 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale. NW9 4EW, 4-6 weeks before the start of any works on the public highways.
- 5 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost

of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 6 The surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 7 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of

planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

Officer's Assessment

1. Site Description

The host dwelling is located on the north-eastern side of Station Road. The area is residential in character consisting of two-storey, semi detached and terraced properties in similar architectural styles.

The site does not lie within a Conservation Area and it is neither a listed or locally-listed building, nor is it located adjacent to a listed or locally-listed building.

2. Relevant Site History

Reference: 18/0350/192

Address: 140 Station Road, London, N3 2SG

Decision: Lawful

Decision Date: 24 April 2018

Description: Single storey rear extension. Roof extension involving hip to gable, rear dormer window with juliette balcony, 3no. rooflights to front

Reference: 18/0996/PNH

Address: 140 Station Road, London, N3 2SG

Decision: Prior Approval Required and Refused

Decision Date: 23 February 2018

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 3.5 metres

Reference: 18/1386/PNH

Address: 140 Station Road, London, N3 2SG

Decision: Prior Approval Required and Refused

Decision Date: 10 April 2018

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: F/00021/13

Address: 140 Station Road, London, N3 2SG

Decision: Lawful

Decision Date: 21 January 2013

Description: Roof extension including hip to gable end with a rear dormer window to facilitate a loft conversion.

Reference: F/04682/12

Address: 138 Station Road, London, N3

Decision: Lawful

Decision Date: 21 December 2012

Description: Extension to roof including hip to gable end, and rear dormer to facilitate a loft conversion.

Reference: C03351C

Address: 138 Station Road, London, N3

Decision: Approved subject to conditions

Decision Date: 1 November 1972

Description: Conversion into two self-contained flats and external alterations.

3. Proposal

This application seeks full planning permission for "Conversion of existing pair of semi detached houses into 6no self-contained flats with rooms in the roof space including part single, part two storey rear extension. Associated amenity space, cycle and refuse bin store.

The proposed extension includes a single storey rear extension to infill between the existing rear outriggers to each flank of the semi-detached pair. There is also an additional protrusion of 1.5 metres rearwards across the central part of the rear elevation, set in from each flank by 2.5 metres. Given the slightly deeper existing outrigger to No. 140 Station Road, the outrigger to No. 138 is also effectively extended by approximately 1.4 metres.

There is also a first floor rear extension to the two-storey rear outrigger to No. 140 with a depth of 1.6 metres. This would bring it in line with the rear wall of the existing outrigger to No. 138 at first floor. The proposal also alters the mono pitched roof of the existing two-storey outrigger to No. 138 to a flat roof.

The development would create a total of 6no self-contained flats. The gross internal area of the flats would be as follows:

- Flat 1: ground floor, 85 sqm (2 bed/4 person);
- Flat A: ground floor, 85 sqm (2 bed/4 person);
- Flat 2: first floor, 65 sqm (2 bed/3 person);
- Flat B: first floor, 65 sqm (2 bed/3 person);
- Flat 3: second floor, 37 sqm (studio);
- Flat C: second floor, 37 sqm (studio).

Access to all flats would via the existing front entrances, with separate entrances internally.

The development includes the subdivision of the rear garden to provide private outdoor amenity space for Flat 1 and Flat A and areas of communal amenity space for the other proposed flats.

No on-site car parking is proposed. 2no cycle stores are proposed, located to the rear of the site. 2no refuse stores are proposed to the front of the site.

4. Public Consultation

Consultation was undertaken including a site notice and letters to 113 neighbouring properties. A total of 8 representations were made in response to the proposed development, including 8no objections. The comments can be summarised as follows:

- Concerns regarding increase traffic congestion and parking stress;
- Concerns regarding increased noise and disturbance as a result of the conversion to flats and increased occupants;
- Associated impacts such as increased rubbish and littering;
- Increased strain on local facilities and public services;
- Concerns regarding the impact of the proposed extensions on light, privacy and overshadowing to neighbouring occupiers;
- Concern regarding the impact of the conversion to flats on the local character;
- The rooms to the rear of the first floor will have limited natural light;
- Single family homes are more needed in the local area;

- The front forecourt cannot accommodate 2no parking spaces as shown on the original plans;
- The proposed car parking to the front will cause loss of on-street parking bays and harm the character of the street;
- Concern regarding construction works already commenced at the site.

5. Planning Considerations

5.1 Policy Context

Revised National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The Revised National Planning Policy Framework (NPPF) was published on 19 February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The Revised NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The Revised NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's Draft London Plan

The draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact

on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of flats in this location;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether satisfactory living standards would be provided for future occupiers; and
- Whether harm would be caused to highway safety.

5.3 Assessment of proposals

Principle of flats in this location

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following: "The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flat accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

Policy DM01 of Barnet's Local Plan Development Management Policies DPD states that proposals should be based on an understanding of local characteristics. Criterion (h) of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

The site is in an accessible location, within close proximity to Finchley Central underground station and Finchley Church End Town Centre with associated amenities. Station Road has a mixed character, comprising a mix of single-family dwellings and flats, many of which are the result of conversions from single dwellings.

Weight is given to existing conversions on Station Road and surrounding roads and the good accessibility of the site. Overall, officers also conclude in this instance that the proposed conversion would be acceptable in this location and would not be contrary to local planning policy including Policy DM01(h).

With regard to the use of the site, it is not considered that the proposed development, which would result in an occupancy of 16 persons, would result in an unacceptable intensification of the use. This is compared with the existing 2no large dwellings, which contain a total of 10no bedrooms, which it would be expected to have a similar occupancy to that proposed.

The principle of conversion to flats is therefore considered to be acceptable, subject to the considerations below.

Impact of the proposal on the character and appearance of the building, the street scene and the wider area

Development proposals involving the redevelopment of sites are required to reflect the character of their street and the scale and proportion of surrounding houses. This is supported by Policy DM01 of Council's Development Management Policies which states that development should understand local characteristics and 'preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The London Plan also contains a number of relevant policies on character, design and landscaping matters. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Regarding the external changes to the site, the changes to the front elevation will be relatively minimal. The access for the new flats would be via the existing front entrance doors to the respective dwellinghouses, with a separate front door internally. As such, the building will still appear as a pair of single dwellings from the street and there will not be any adverse impact on the character by virtue of the introduction of a separate access. Whilst two refuse stores are shown at the front of the site it is nevertheless considered necessary to recommend a condition are recommended to require further details of the siting and appearance of the proposed stores to ensure they are not detrimental to the character or appearance of the dwelling or the streetscene.

The proposed extensions to the rear include an infill extension, with an additional projection of 1.5 metres rearwards across the central part of the rear elevation, set in from each flank by 2.5 metres. Given the slightly deeper existing outrigger to No. 140 Station Road, the outrigger to No. 138 is also effectively extended by approximately 1.4 metres. It is noted that deep rear outriggers are characteristic of many properties on this section of Station Road. Several properties benefit from additional projections, original and later extensions, beyond the two-storey rear outriggers. Due to this level of existing development to the rear, the proposed extensions to the rear of the extension building at Nos. 138-140 would protrude beyond the established building line on Station Road and would not be an incongruous form of development within the local context. Given the fact that the proposed ground floor extension will mostly serve to infill between the existing outriggers, with a relatively modest additional projection of 1.5 metres, nor is it considered that the proposed extension would appear as disproportionate to the existing dwelling.

The proposed first floor rear extension is relatively modest in scale, projecting 1.6 metres beyond the existing rear wall of the two-storey outrigger. It would bring this outrigger in line with the rear wall of the existing outrigger to No. 138; as such, it would be in keeping with the pattern of development in the area. Although flat roofs are not generally considered

acceptable for two-storey extensions, given the property at No. 140 benefits from an existing flat roof extension, the proposal would restore some symmetry to the building as a whole. Additionally, the mono-pitched roof of the existing outrigger currently has a vertical plane facing towards the neighbour at No. 142. The alteration to the roof will therefore have a relatively limited visual manifestation as viewed from neighbouring properties and is not considered to be unduly harmful to the local character or appearance of the existing building.

As stated above, the increase in the number of occupants of the site is relatively modest, increasing to a maximum of 16no people in total. Given the size of the existing dwellings, it is not considered that the proposed conversion of each to 3no flats, totalling 6no flats, would represent an over-intensive use of the site. Given the mixed character of the area, the slightly increase comings and goings, deliveries, refuse collections and other associated impacts are not considered to be incongruous or harmful to the local character.

Taking all material considerations into account, the proposed development, subject to the attached conditions, would have an acceptable impact on the appearance of the host dwelling, the local character and the streetscene. It would therefore accord with Policy DM01 of Barnet's Local Plan.

Whether the proposal provides a satisfactory living environment for future occupiers

The development would create 2no self-contained flats. The gross internal area of the flats would be as follows:

- Flat 1: ground floor, 85 sqm (2 bed/4 person);
- Flat A: ground floor, 85 sqm (2 bed/4 person);
- Flat 2: first floor, 65 sqm (2 bed/3 person);
- Flat B: first floor, 65 sqm (2 bed/3 person);
- Flat 3: second floor, 37 sqm (studio);
- Flat C: second floor, 37 sqm (studio).

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that it makes a positive contribution to the borough. The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) sets out the minimum GIA requirements for residential Units as follows:

Studio - 37 sqm (where there is a shower room only).

2 bed/3 people - 61 sqm.

2 bed/4 people - 70 sqm.

All flats would meet and exceed the minimum standards for the relevant size of dwelling as stated above and would therefore be acceptable in this regard.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double bedroom: minimum area should be 11.5 m² and at least 2.75m wide.

The proposed bedrooms comply with these minimum standards.

The sustainable design and construction SPD also states that a minimum ceiling height of 2.5 metres for at least 75% of the dwelling area is strongly encouraged. The dwellings are considered to provide adequate ceiling height at each storey of habitable accommodation,

as shown on the submitted section drawings, and therefore the proposal is acceptable in this regard.

Room stacking/siting

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors.

Following revisions to the internal layout, the proposed layout does now provide adequate stacking provision ensuring bedrooms for the most part are stacked above bedrooms and kitchen and living areas likewise.

Light/Outlook

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. The ground and first floor units benefit from adequate levels of glazing and dual aspect outlook. The studio flats at second floor level benefit from a good aspect facing rearwards and rooflights to the front; this is considered to provide an adequate level of light and outlook for the units. The proposed levels of daylight/sunlight proposed for the flats is also considered acceptable.

Amenity

Section 2.3 of the Sustainable Design and Construction SPD (2016) states that for flats there should be a minimum of 5m² of outdoor amenity space per habitable room.

The proposal involves the subdivision of the rear garden to provide private outdoor amenity space for the ground floor flats and areas of communal amenity space for the first and second floor flats. The ground floor flats (Flat 1 and Flat A) will benefit from 36 sqm of outdoor amenity space each. This meets minimum standards and is considered to be acceptable. Flats 2 and 3 will benefit from a communal amenity area with an area of 29 sqm. Flats B and C will benefit from an equivalent communal amenity area. These areas are located to the rear of the site and are accessed via side passages. Weight is given to the site's location close to transport links and the amenities of Finchley Church End town centre. On balance, considering the good level of amenity provided for the occupants of the flat in other respects, the provision of communal amenity space for these flats is considered to provide an acceptable level of amenity for the future occupants.

Privacy

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

The proposed layout is acceptable in terms of the privacy of adjoining and potential occupiers. The private amenity area immediately to the rear of the house is only to be used by the ground floor flats and thus does not give rise to overlooking between the flats. As such, the proposal is found to comply with Policy DM01 in this regard.

The impact on the amenities of neighbouring occupiers

It will be important that any scheme addresses the relevant development plan policies (for

example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The proposed ground floor extension will result in a rearward projection of approximately 1.5 metres, set of 2.5 metres from the flank walls of the building. Given the distance of the proposed extension from neighbouring boundaries, which is approximately 3.6 metres to the south and 5.1 metres to the north, and the modest depth of 1.5 metres, the proposed ground floor extension is not considered to result in material harm to the neighbouring occupiers at Nos. 136 or 142 Station Road.

With regards to the 1.4 metre extension to the existing outrigger to No. 138, given the distance of 3 metres to the flank wall of the neighbouring property at No. 136, it is not considered to result in an unacceptable loss of light, outlook or overbearing to the neighbouring occupiers.

The proposed first floor extension to the two-storey rear outrigger to the property at No. 140 will bring it in line with the two-storey outriggers to the neighbouring pair of semi-detached properties at Nos. 142 and 144 Station Road, which project slightly further rearwards than that of No. 140. As such, it will not result in any harmful loss of light, outlook or overbearing impact.

Conversions to flats can constitute an intensification of the use of a site, which carries increased noise and disturbance to neighbouring occupiers compared with a single dwellinghouse. In this instance, given the altered character around the host dwelling in favour of flatted developments and the expected occupancy of 16 persons across the site as a whole, as opposed to 2no 5-bed dwellinghouses, it is not considered to be such that it would result in an unacceptable impact on the amenities of neighbouring occupiers with regard to the scale of the dwellings in the vicinity.

Taking all material considerations into account, it is found that the proposed development would protect the amenities of neighbouring occupiers, in accordance with Policy DM01 of Barnet's Local Plan.

Parking and cycle stores

With regard to the maximum parking standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the range of vehicular parking spaces which would need to be provided as part of the proposed development is between 2 and 8 spaces. The site has a PTAL rating of 3 (where 0 is worst and 6b is best), meaning the public transport accessibility is moderately good. This section of Station Road is within a controlled parking zone (CPZ).

The property does not benefit from front hardstanding that could accommodate off-street car parking. As such, the proposal is parking-free. Weight is given to the good accessibility of the site, especially the close proximity to Finchley Central underground station, which means that occupants are not likely to rely on private cars. As such the applicant is required to enter into a legal agreement to restrict occupants of the development from obtaining car parking permits for the local area. Subject to this, the proposal is not considered to result in increased car parking stress in the surrounding area and would be acceptable on highways grounds.

Cycle parking provision is shown to the front of the site. A total of 10no spaces should be

provided. A condition is recommended to ensure this provision.

On balance, it is considered that the proposal, subject to the conditions and legal agreement suggested above, would not generate a significant negative impact on the performance and safety of the surrounding highway network or its users.

Refuse

Supplementary Planning Document: Residential Design Guidance (2016) states that waste and recycling can be visually intrusive within the street scene. It goes on to state that waste and recycling storage areas should be integrated within the building or provided on-site and screened within an enclosure or by landscaping avoiding area in front of dwellings.

As stated above, details of the screened facilities will be required by condition to ensure this is appropriate and does not harm the character or visual amenities of the site.

Accessibility and Sustainability

In respect of carbon dioxide emission reduction, the scheme should have been designed to achieve a 6% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition would be attached to any permission to ensure compliance with this Policy.

In terms of water consumption, a condition would be attached to any permission to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore could be conditioned to meet the necessary sustainability and efficiency requirements of the London Plan in the event of an approval.

5.4 Response to Public Consultation

- Concerns regarding increase traffic congestion and parking stress;
- Concerns regarding increased noise and disturbance as a result of the conversion to flats and increased occupants;
- Associated impacts such as increased rubbish and littering;
- Increased strain on local facilities and public services;
- Concerns regarding the impact of the proposed extensions on light, privacy and overshadowing to neighbouring occupiers;
- Concern regarding the impact of the conversion to flats on the local character;
- The rooms to the rear of the first floor will have limited natural light;

The above concerns are considered to be addressed by the officer's comments in the above section of the report.

- Single family homes are more needed in the local area;
- Increased strain on local facilities and public services;
- Associated impacts such as increased rubbish and littering;

Given the scale of development, these are not considered to be sufficient reason to warrant refusal of the application. It is noted the proposal provides an increased number of dwellings, including family-sized dwellings.

- The front forecourt cannot accommodate 2no parking spaces as shown on the original plans;

- The proposed car parking to the front will cause loss of on-street parking bays and harm the character of the street;

The proposal has been amended through the lifetime of the application to remove the proposed off-street car parking spaces to the front of the site. As such, the above comments have been addressed

- Concern regarding construction works already commenced at the site.

Officers note that development has occurred recently at the site utilising permitted development rights pertaining to the dwellinghouses.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of future occupiers or neighbouring occupiers. The proposed development is considered not to cause harm to highways safety, subject to the completion of the legal agreement. This application is therefore recommended for APPROVAL.

